



Docket No. NEB-164-PUS

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorneys or agents application of: Karen E. Sandman, Christopher J. Noren

Application No.: 09/937,187

Group No.: 1639

Filed: September 21, 2001

Examiner: Lundgren

For: Surface Display of Selenocysteine-Containing Peptides

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES
(37 C.F.R. § 41.31)

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed December 21, 2006, for a second time rejecting claims 38-43, 46 (originally numbered 40-45, 48).

1. STATUS OF APPLICANT

This application is on behalf of a small entity. A statement was already filed on September 21, 2001.

CERTIFICATION UNDER 37 C.F.R. ' ' 1.8(a) and 1.10*
(When using Express Mail, the Express Mail label number is *mandatory*;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

X deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)
X with sufficient postage as first class mail.

37 C.F.R. § 1.10*

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G facsimile transmitted to the Patent and Trademark Office, (571) 273 -8300.

05/23/2006 TUESDAY 09:00 AM 09937187
05/23/2006 09:00 AM 09937187
Signature _____ 250.00 OP

Date: May 19, 2006

Leslie Goldberg
(type or print name of person certifying)

* Only the date of filing (' 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under ' 1.8 continues to be taken into account in determining timeliness. See ' 1.703(f). Consider "Express Mail Post Office to Addressee" (' 1.10) or facsimile transmission (' 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. § 41.20(b)(1), the fee for filing the Appeal Brief is:

Small entity	\$250.00
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Notice of Appeal fee due	\$250.00
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3. EXTENSION OF TERM

The proceedings herein are for a patent application and the provisions of 37 C.F.R.1.136 apply.

Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for two months:

Fee	\$225.00
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If an additional extension of time is required, please consider this a petition therefor.

4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee	\$250.00
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Extension fee	\$225.00
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TOTAL FEE DUE	\$475.00
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5. FEE PAYMENT

Attached is a check in the amount of \$475.00.

A duplicate of this transmittal is attached.

6. FEE DEFICIENCY

If any additional extension and/or fee is required, and if any additional fee for claims is required, charge Deposit Account No. 14-0740.

Date: May 19, 2006



Harriet M. Strimpel, D.Phil.
Registration No. 37,008
New England Biolabs, Inc.
240 County Road
Ipswich, MA 01938-2723
978-380-7373
Customer No. 28986